

UNITED STATES BANKRUPTCY COURT District of New Jersey
Albert Russo Po Box 4853 Trenton, NJ 08650-4853 (609) 587-6888 Standing Chapter 13 Trustee
In re: Hoggarth Stephen Debtor(s)



Order Filed on November 28, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 19-15291 / MBK

Hearing Date: 11/22/2023

Judge: Michael B. Kaplan

Chapter: 13

ORDER CONFIRMING MODIFIED CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: November 28, 2023


Honorable Michael B. Kaplan
United States Bankruptcy Judge

The modified plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such modified plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

ORDERED that the modified plan of the above named debtor, dated 10/20/2023, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

ORDERED that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 84 months.

ORDERED that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$22,360.00 PAID TO DATE

\$155.00 for 28 months beginning 12/01/2023

The balance of the plan shall be paid by the debtor(s) from non-exempt proceeds from the sale or refinance of 2172 Princeton Pike by January 30, 2024

ORDERED that the case is confirmed to pay 100% dividend to general unsecured creditors.

ORDERED that the Standing Trustee shall be authorized to submit, ex-parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

ORDERED that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

ORDERED that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

ORDERED that to the extent Section 7 of the debtor's plan contains motions to avoid judicial liens under 11 U.S.C. § 522(f) and/or to avoid liens and reclassify claims in whole or in part, such motions are hereby granted, except as specified below:

NO EXCEPTIONS

ORDERED that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

ORDERED that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

ORDERED that section(s) 4(g) is stricken from the Chapter 13 Plan.

ORDERED that the debtor(s) is to complete a sale or refinance of property located at 2172 Princeton Pike by January 30, 2024, and any non-exempt proceeds of said sale or refinance shall be paid to the Trustee for the benefit of creditors.

- Creditor Nationstar Mortgage d/b/a Mr. Cooper, PACER claim #3-1, shall not be paid through the Chapter 13 Plan; creditor will be paid in full outside the Chapter 13 Plan from the sale or refinance.

ORDERED that if the debtor has provided for a creditor to be paid in the plan and no Proof of Claim is filed by such creditor before expiration of the applicable bar date, the debtor, pursuant to F.R.B.P. 3004, must file a Proof of Claim on behalf of the creditor within 30 days of the expiration of the applicable bar date. If the time period pursuant to F.R.B.P. 3004 has expired, the debtor must file a Proof of Claim on behalf of the creditor **and** file a motion to allow the Trustee to pay the late filed claim, or the debtor may obtain a Consent Order with the creditor authorizing the Trustee to pay an amount certain in the plan .

ORDERED as follows:

Section 1(c) is amended to sale of 2172 Princeton Pike by January 30, 2024.

Nationstar Mortgage d/b/a Mr. Cooper post-petition arrears from the May 25, 2022 amended Order shall be paid at sale. No further distributions shall be made through the Chapter 13 plan .

All non-exempt proceeds from the sale of 2172 Princeton Pike to be remitted to the Trustee to pay off the case in full.

Debtors attorney shall file an application for supplemental fees within 30 days of the entry of the modified plan Confirming Order.

The plan length is extended to a total of 84 months pursuant to the Cares Act .

In re:
Hoggarth Stephen
Debtor

Case No. 19-15291-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Nov 28, 2023

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 30, 2023:

Recip ID	Recipient Name and Address
db	+ Hoggarth Stephen, 2172 Princeton Pike, Lawrence Township, NJ 08648-4333

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 30, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 28, 2023 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Aleisha Candace Jennings	on behalf of Loss Mitigation NATIONSTAR MORTGAGE LLC d/b/a MR. COOPER ajennings@raslg.com
Aleisha Candace Jennings	on behalf of Creditor Nationstar Mortgage LLC ajennings@raslg.com
Candyce Ilene Smith-Sklar	on behalf of Debtor Hoggarth Stephen njpalaw@gmail.com r56958@notify.bestcase.com
Denise E. Carlon	on behalf of Creditor Nationstar Mortgage LLC dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Nov 28, 2023

Form ID: pdf903

Total Noticed: 1

Harold N. Kaplan

on behalf of Loss Mitigation NATIONSTAR MORTGAGE LLC d/b/a MR. COOPER hkaplan@rasnj.com
kimwilson@raslg.com

Harold N. Kaplan

on behalf of Creditor Robertson Anschutz, Schneid, Crane & Partners, PLLC hkaplan@rasnj.com, kimwilson@raslg.com

Jill Manzo

on behalf of Loss Mitigation NATIONSTAR MORTGAGE LLC d/b/a MR. COOPER jmanzo@spinellalawgroup.com

Laura M. Egerman

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mccallaecf@ecf.courtdrive.com

Shauna M Deluca

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Shauna M Deluca

on behalf of Loss Mitigation NATIONSTAR MORTGAGE LLC d/b/a MR. COOPER sdeluca@hasbanilight.com
hllawpc@gmail.com

Sindi Mncina

on behalf of Loss Mitigation NATIONSTAR MORTGAGE LLC d/b/a MR. COOPER smncina@raslg.com

Sindi Mncina

on behalf of Creditor Nationstar Mortgage LLC smncina@raslg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 15